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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,227	04/09/2001	Mark E. Brewster	SMQ-063RCE/P5742	8606
959	7590	01/13/2006	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			NGUYEN, THANH T	
			ART UNIT	PAPER NUMBER
			2144	
DATE MAILED: 01/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/829,227	Applicant(s) BREWSTER ET AL.	
	Examiner Tammy T. Nguyen	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



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Detailed Office Action

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 13, 2005 has been entered.
2. Claims 1-23 are presented for examination.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
4. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. In claim 1, the applicants wrote “the conversion taking place without user direction”. (emphasized added). The examiner cannot find any support for this limitation. The examiner considers the “the conversion taking place without user direction” as a negative limitation. According to MPEP2173.05(i) "Any negative limitation or exclusionary proviso must have basis in the original disclosure". Since the applicants does not positively describe that the conversion taking place without user direction, the examiner consider the limitation “the conversion taking place without user direction” as a new matter.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3-9, 11-15, 17-20, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al., (hereinafter Li) U.S. Patent No. 6,757,869 in view of Hyman et al., (hereinafter Hyman) U.S. Patent No. 6,772,395.

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8. As to claim 1, Li teaches the invention as claimed, including in a computer network, said network interfaced with a server, a method for collecting and presenting data, said method comprising the steps of: receiving a first document created at a first location (Fig.4 host application 402, and client 400); automatically converting data extracted from said first document into an extensible markup language (XML) document, the conversion taking place without user direction (see col.4, lines12-26); storing said XML document on said server (see fig.4, web server 410); and access of said XML document from a remote location connected to said network by a second user (fig.1). But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.
9. As to claim 3, Li teaches the invention as claimed, wherein said recipient is said second user (fig.4, host application 402).
10. As to claim 4, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).
11. As to claim 5, Li teaches the invention as claimed, further comprising the steps of: providing a stylesheet; and applying said stylesheet to said XML

document in response to commands from said second user (see col.7, lines 30-35).

12. As to claim 6, Li teaches the invention as claimed, comprising the further step of: storing said XML document in a database connected to said network (see col.8, lines 10-44).
13. As to claim 7, Li teaches the invention as claimed, wherein said second user retrieves said XML document from said database (see col.8, lines 10-44).
14. As to claim 8, Li teaches the invention as claimed, further comprising the steps of: providing an extensible stylesheet language (XSL) stylesheet; and applying said XSL stylesheet to said XML document in response to commands from said second user (see col.7, lines 30-35).
15. As to claim 9, Li teaches the invention as claimed, including in a computer network, said network interfaced with a database, a method for collecting and presenting data, said method comprising the steps of: receiving a first document created at a first location (Fig.4 host application 402, and client 400); automatically converting data extracted from said first document into an extensible markup language (XML) document, the conversion taking place without user direction (see col.4, lines 12-26); storing said XML document on said server (see fig.4, web server 410); and access of said XML document from a remote location connected to said network by a second user (fig.1). But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of

ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.

16. As to claim 11, Li teaches the invention as claimed, wherein said recipient is said second user (fig.4, host application 402).
17. As to claim 12, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).
18. As to claim 13, Li the invention as claimed, further comprising the steps of: providing a stylesheet; and applying the stylesheet to said XML document in response to commands from said second user (see col.7, lines 30-35).
19. As to claim 14, Li teaches the invention as claimed, wherein said stylesheet is an XSL stylesheet (see col.8, lines 10-44).
20. As to claim 15, Li teaches the invention as claimed, including in a computer network, said network including a server interfaced with a database, a medium holding computer-executable instructions for a method of collecting and displaying data, said method comprising the steps of: receiving a first document created at a first location (Fig.4 host application 402, and client 400); automatically converting data extracted from said first document into an extensible markup language (XML) document, the conversion taking place without user direction (see col.4, lines12-26); storing said XML document on said server (see fig.4, web server 410); and access of said XML document

from a remote location connected to said network by a second user (fig.1).

But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.

21. As to claim 17, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).
22. As to claim 18, Li teaches the invention as claimed, wherein the method comprises the additional steps of: providing a stylesheet; and applying the stylesheet to said XML document in response to commands from said second user (see col.7, lines 30-35).
23. As to claim 19, Li teaches the invention as claimed, wherein the stylesheet provided by said method is an XSL stylesheet (See col.7, lines 30-35).
24. As to claim 20, Li teaches the invention as claimed, including in a computer network, said network including a server, a medium holding computer-executable instructions for a method, said method comprising the steps of: receiving a first document created at a first location (Fig.4 host application 402, and client 400); automatically converting data extracted from said first document into an extensible markup language (XML) document, the

conversion taking place without user direction (see col.4, lines12-26); storing said XML document on said server (see fig.4, web server 410); and access of said XML document from a remote location connected to said network by a second user (fig.1). But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.

25. As to claim 22, Li teaches the invention as claimed, wherein said recipient is said second user (see fig.4, client 400).

26. As to claim 23, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).

27. Claims 2, 10, 16, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al., (hereinafter Li) U.S. Patent No. 6,757,869, and Hyman et al., (hereinafter Hyman) U.S. Patent No. 6,772,395 in view of Erez Halahmi., (hereinafter Halahmi) U.S. Patent No. 6,684,088.

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28. As to claim 21, Li teaches the invention as claimed, automatically emailing said XML document to a recipient, but Li and Hyman do not teach the wherein said method comprising the additional step of: recipient indicated by said first user. However, Halahmi teaches said recipient indicated by said first user (col.6, lines 10-18). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Pavlov, Hyman and Halahmi to have emailing XML document to a recipient because it would have an efficient system that can provide specific functions to send automatically emailing XML document to indicated by first user.
29. Claims 2, 10, 16 have similar limitations as claim 21; therefore, they are rejected under the same rationale.

Response to Arguments

30. Applicants argue that the prior art fail to teach the elements of creating a document at a first location, automatically converting the document into an XML file without user direction. In response to Applicant's argument, the Patent Office maintain the rejection because Prior art teaches the elements of creating a document at a first location, automatically converting the document into an XML file without user direction as shown in col.4, lines 12 to lines 26.

Conclusion

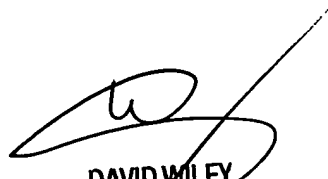
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31. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

TTN

January 5, 2006



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100